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1886

A VISIT
To the Mission Indians of
Southern California,
AND OTHER
Western Tribes.

BY
PROF. C. C. PAINTER.

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OFFICE OF THE
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INDIAN TERRITORY.

Leaving home on the 25th of May last for an extended visit as Agent of the Indian Rights Association to various Indian tribes, my first stop was at Vinita in the Indian Territory. Reaching this place on Saturday in time to attend a general caucus, it was of interest to see how largely its conduct was in the hands of white men with citizen's rights, and of half-breeds. Whether correct or not, the impression produced on the mind of one visiting the Territory, observing and hearing what he can from those with whom he meets, is that affairs are very largely managed and controlled by the white blood, which in one way or another has found its way into the veins of the people, or into positions of influence among them. One who has spent a few years in this town, as Principal of its most important school, asserts, what my own observation so far as it went confirmed, that the business enterprise and thrift of the people is due largely to this white element. That a painted house, and a farm well stocked and managed is almost certain proof of a white man or woman on the premises.

One would suppose in looking at the classes in Worcester Academy that perhaps one in ten of the pupils had some Indian blood, and is greatly surprised to know that there is not more than one in ten who has not enough of it to be classed as Indian, and draw public money.

During the next week at Muscogee, I had the pleasure of attending the closing exercises of the Indian University, which had just dedicated its new, beautiful and commodious building at this place, and come down from Talequah to occupy it for its anniversary exercises.

There were gathered under its evidently excellent management 109 pupils, 81 of whom were Cherokees; 5 Choctaws; 4 Creeks; 1 Ottawa; 1 Chickasaw; 1 Miami; and 16 whites. Forgetting where he was, one could easily have imagined himself in attendance upon similar exercises in connection with one of our Eastern academies or high schools. Referring to the catalogue, which was given me along with the programme, I was able to discover, what in many cases I would not otherwise have suspected, that such and such a one was an Indian, and not a white. My landlady at Vinita, a most excellent Christian woman, who with her husband, an employee either of the railroad company or of the telegraph company, has resided for several years in this town, both of them prominent in Sunday-school and mission work, told me that the Cherokee girls, many of them educated, refined and beautiful, much preferred white husbands, and did not look favorably upon lovers of their own nation, but this caused no ill-feeling on the part of the young men who had the same preference for white girls. My observation was that in many cases it would take an expert in color to decide the question as to race, and that so far as these people are concerned, the Indian problem would be wiped out in blood within a few generations.

It is the boast of those who extol the wonderful civilization of these people that they pay no taxes and have no paupers. Everybody is rich, happy, and free from the burdens which oppress other civilized peoples. Unfortunately for me there had been heavy rainfalls, and the streams were, many of them, unfordable, and I was therefore unable to make the personal observations on which decided and conclusive opinions ought to be based; but this fact of itself is warrant for some definite conclusions.

The country of which I speak, especially in the northeast portion of it, is one of the loveliest regions of the Southwest, and the people who occupy it one of the richest. Their civilization is by many extolled as most wonderful, wrought out under a tribal and communistic system, a model to which

other Indians ought to conform. Honorable senators, some of whom a few months ago said there was not a single case known of an Indian who had made a white man of himself, as they come back from a recent visit are enthusiastic over what they have found, and desirous that other and remote tribes shall be induced, or forced to come in and partake of its benefits.

I could not get over the country to see it fully, neither could these senators. The roads of this wonderfully rich, prosperous, untaxed people were good as untraveled prairie roads are under varying conditions of the weather, and the streams crossable, where Nature had not filled them too full, nor fenced them in with banks too high. There are no paupers and no taxes, but it would not require many fingers on which to count the appliances of a high civilization, for which such a civilization necessarily imposes taxes. Outside the Mission schools and a few National schools in the more important places, used chiefly by children whose Indian blood has been drowned out by an infusion of white, the schoolhouses are miserable pens, and the schools of the poorest quality. Much is said of their wealth, intelligence, self-government, and most hopeful progress, and all this by those who would use it as an argument in favor of keeping the Indian under the system which has been the efficient cause of their civil and social development.

Let us make a comparison: In 1830 the Cherokees in Northern Georgia had a government of their own, indicative of considerable growth in civilization. They owned 2,943 plows, or one to each family of five persons; 172 wagons; 25,000 sheep; 7,600 horses; 22,000 cattle; 46,000 swine; eight cotton machines; 762 looms; 2,488 spinning wheels; ten saw mills; thirty-one grist mills; sixty-two blacksmith shops, etc., etc. They lived, almost without exception, in good log houses with floors, doors, windows, and chimneys, equal to those occupied by the whites who surrounded them. They tilled the soil and drew from it their support, hunting and fishing only for diversion. This was fifty-six years ago, and what they had

was the creation of their own toil, the outcome of a healthful and natural growth. They indeed still held their lands by a National and not by an individual title, but were making such use of them as would soon have compelled a personal title in form as it already was in effect.

Take from them to-day the wealth they have not earned, but which is at once the evidence and the means of their demoralization, as unearned wealth almost universally and inevitably is; discount all the evidence of thrift and growth which is due to the activity of the eagles attracted to this fat carcass; strip from them so much of their civilization as is but a thin veneer, glued or nailed on from without, not developed from within, and in my judgment the showing is not so good, certainly not so full of promise as it was fifty-six years ago.

The convention at Vinita and the anniversary of the Indian University at Muscogee, brought together many of the leading men of the Territory, and as it was just at the time when a committee of the United States Senate was on a visit of inquiry touching certain questions of most vital interest to the people, I was able to gather something of their views from the discussions going on among them.

Many were saying, what I was told it would not have been safe for them to have said a few years since, that the time is near and even here, when their civilization must have for its basis the individual and the family, not the tribe. Complications growing out of the use of vacant lands; the ease with which, under pretense of Indian blood, white men were getting a quasi claim to lands from which they cannot dislodge them except with the consent of the United States Court, thus enlarging the divisor and minimizing the quotient when a final division shall be made, these and other causes are precipitating the conclusion that it must be made soon. One fear "gives pause," to this conclusion, that is, that Congress may limit them to an allotment of one hundred and sixty acres each. There are difficulties in the way and grave questions to settle, but whoever accepts the declarations of those who are chiefly benefited

by the present condition of things as containing the whole truth, either as to the advisability of continuing it, or the unanimous desire that it should be, is greatly mistaken. There is great ferment, and things are hastening to a crisis, and a much provoking cause is the lease of grazing lands, and the questions growing out of it.

I made a visit to the several tribes gathered about the Quapaw Agency, occupying a well-watered, well-timbered, very fertile and most beautiful portion of the Territory. There are nearly eleven hundred of these Indians of various tribes on separate reservations aggregating more than 200,000 acres of land, more than 9,000 of which are under cultivation, or about nine acres to each man, woman and child.

The Modocs, Peorias, Miamas, and Wyandotts especially seem to be well along on the road toward civilization and self-support, and, with a personal, protected title to their homesteads, which they much desire, and the rights, opportunities, and protection of men under a free government, they would soon be fitted for the duties of full citizenship.

It would not be fair to adduce the case of the Modocs as illustrating what has been, or can be done, by and through the agency of the Indian Department, and under the agency and reservation system, acting upon the Indians as so many puppets, with none of the powers of rational men, amenable to none of the motives by which men are usually moved. Their progress has been indeed marvellous, and is conclusive that the Indian, even the most desperate and savage, as these were regarded when they came fresh from the Lava beds, makes a ready response to appeals to his manhood, and readily rises up to the level of a man's chances when and so far as they are accorded him.

One cannot spend a few days with John Watson, the Quaker missionary, and make himself acquainted with his work and that of his noble wife and daughters, without discovering the secret of this success; a secret which the machinery of the Bureau does not contain: a secret so simple that it has been

missed and despised when hinted at; it is simply a recognition of manhood, and giving to it its opportunities, and appealing to its inherent qualities. This Mr. Watson, and those who, with and before him, have dealt with the Modocs for the past twelve years have done. His good work is limited and hampered by the inevitable *procrusteanism* of the system under which the Indian is placed, but in spite of it has made great progress.

The prairie about the Agency saw mill was covered with logs, cut and hauled by the Modocs, who hoped during this fall and winter to add good barns to their comfortable farm houses, but as Congress made no allowances for a machinist to run the saw, it stands idle, and the enthusiastic hopes of the people have opportunity to decay along with their unhoused crops, one of many striking illustrations which every visitor to Indian reservations sees of the difficulty of civilizing a people by a machine invented, with wonderful complication, for the purpose of protecting the Treasury against possible rascalities, its several parts presided over and adjusted by machinists, all of whom have independent and conflicting ends to gain, and diverse interests to subserve.

High waters, and the very unsettled condition of affairs making it dangerous to do so without an escort, prevented my visiting the Oklahoma District, and the Indians in the western part of the Territory, as it was the wish of the Association, and my plan to do.

APACHES.

The utter ignorance of the soldiers as to the whereabouts of the hostile Apaches; the terror of the settlers and miners, some of whom I met at El Paso, having fled from the mines; the advice of all whom I consulted, together with a failure to find at Wilcox a response to my letter to the Agent asking if I should attempt it, forced me to give up my proposed visit to the San Carlos Reservation.

The wonderful ubiquity of these hostiles, some forty to sixty in number, forced the question whether or not white desperadoes were not responsible for much of the terror, and many of the atrocities attributed to this little band of Geronimo: a question answered affirmatively, I understood, by the military authorities. Such has been the case at other times undoubtedly. A double purpose is thus accomplished; the acquisition of booty with slight risk of punishment, and a more intense and seemingly justifiable demand for the removal, if not the extermination, of all the Apaches, since it must be evident that others than this small band are on the war-path, and these others must be the so-called peaceable Indians from the reservations.

I would not class myself with those who, in pleading the cause of the Indian, assume that he is always faultless, and the whites are necessarily the aggressors; neither will I go back and rehearse the wrongs suffered by these people in the past, wrongs sufficient to make desperate a more saintly race than the Apaches; but there are a few facts which the public do not know, pertinent to this case of outbreak, which should have their full weight in shaping our judgment of it. These Indians were under a double-headed and not harmonious management. The Agent, Mr. Ford, was instructed to include this band of Chiracahuas in his issue of annuity goods. He informed the military officer in charge that he had the goods and wished to arrange to distribute them. This officer sent a pack team to receive them in bulk. The Agent said, truly, that under the law he must issue to the individual Indian, taking his receipt, and could not issue them to the officer in bulk. The latter would receive them in no other way, and so during the winter of 1875, one of unusual severity, these poor fellows were coralled in a sort of Andersonville, on short rations, and almost absolutely naked. As Agent of the Indian Rights Association, I called these facts to the attention, both of the Secretary of the Interior and of the Secretary of War, urging the danger of outbreak, and asking that instructions should be given which would relieve the Indians. What was finally done

in regard to an issue of these goods I am unable to say, further than that correspondence between the two Departments resulted, I was told, in the removal of the officer in charge. This was after the protracted sufferings of the whole winter, and these men had the experience of these terrible months back of them when they resolved to cut their way out.

PAPAGOE AND PIMAS.

The limit on my transportation forbade my stopping longer at Tucson, near which place are the Papagoes and Pimas, through whose reservations the railroad passes, than to gather that these people are on executive Reservations; that again and again the whites have intruded upon them, and have been put off by the Agent, whose removal in turn is much desired by the whites. There are some 12,000 Indians in all on the reservation under care of this Agent. Much trouble has been experienced from the sale of whiskey to them. They are good workers, and as laborers are much needed and desired by the whites, but as land owners their presence would be much deprecated. It should be borne in mind that their tenure to this land is very frail—the mere will of an executive who is elected by the votes of those who want land; and that to maintain the interest of the Indian he must desert those who can give votes to his party, and stand by those who cannot. It should also be borne in mind that the celebrated Dawes-Coke Bill, while it would give a title by act of Congress to Indians on treaty and Congressional reservations to their land for twenty-five years, does not so protect those on Executive reservations, and this omission is not an oversight, but because to do so would, it is said by way of explanation, endanger the bill.

The public mind ought to be informed, and stirred up in view of this danger, and some protection given before it is too late.

THE MISSION INDIANS.

The *Century* for December, 1885, contains the "Last Poems of Helen Jackson." One of these, "Acquainted with Grief," is dated July 1st, and by this I am satisfied that it was the one I saw lying unfinished, by her side, during one of the interviews I had with her during the latter part of June. Those who were privileged to see her during these days, her face radiant as the face of an angel with the glow of earth's sunset, and the ruddy flush of heaven's sunrise, can bear testimony to the completeness of her victory over her enemy Grief. Her triumph had not the slightest trace of revenge or defiance, but of sweet peace alone, as she sang :

" . . . ; yet stands she, slave,
Helpless before our one behest ;
The gods, that we be shamed not, gave
And locked the secret in our breast.

" She to the gazing world must bear
Our crowns of triumph, if we bid :
Loyal and mute, our colors wear,
Sign of her own forever hid.

" Smile to our smile, song to our song,
With songs and smiles our roses fling
Till men turn round in every throng,
To note such joyous pleasuring,

" And ask next morn, with eyes that lend
A fervor to the words they say,
'What is her name, that radiant friend,
Who walked beside you yesterday?'"

It is not claiming too much to say, that among the comforts of her closing days, not the least to her, was the fact that the Indian Rights Association had sent its Agent out to investigate the condition of those people whose sad story she has told in *Ramona* with such moving pathos, and whose wretched and hopeless condition weighed so heavily upon her heart. She was familiar with our work—knew what had been done for the

Sioux at large, and for those at Crow Creek; for the starving Piegans and other cases, in which we had succeeded in righting wrongs and correcting abuses; and where I feared a, to her, tedious explanation of myself and object in coming to see her, she interposed a joyous exclamation of, "Oh, is this you! there is no one in the United States whom I so much wanted to see."

When, at her earnest request, I concluded to pay the Mission Indians a second visit (I had visited a number of their villages before seeing her), she wrote Don Antonio F. Coronel, of Los Angeles, who, with his good wife, are the best friends these Indians have in California, that I was going to visit the Indians, and that no one else could do for them what I could do.

I know this was said of me only as the representative of the Indian Rights Association, and I know, also, that it helped to sweeten the bitterness of death to that sainted woman, when she could commit, as she did, her unfinished work to our hands. I feel she has done this with the confidence that we would take it up strongly, and urge it persistently, until it shall be accomplished, and I write thus hoping and believing that the Indian Rights Association will feel the pressure of a most solemn obligation, and believing also the American people can now, that her voice comes back from the heavenly land, be stirred, as never before, in view of the wrongs of these poor people.

Let the people know in brief this story, and that we have taken up this work where she left it, and I am confident they will sustain us in it, and push it to its completion.

The Los Angeles *Herald* of June 9th, 1885, tells their story in brief, as follows: "These aborigines, though *alive*, are good Indians. For the most part they are moral and religious, and have earned their own living by cultivating the soil on which they were born, and which was the exclusive property of their ancestors. Day by day they find themselves crowded to the wall. Their lands are jumped, their hunting grounds have been curtailed, and they find their means of making a livelihood restricted. Not being marauders and

murderers the government of the United States will do nothing for them."

Their pitiful story was told by themselves in a petition drawn up by them, dated Feb. 7th, 1878, addressed to the Secretary of the Interior. I give it as translated for me from the Spanish, as written by the Indians themselves, by a Mexican lady, Mrs. Coronel, of Los Angeles.

PETITION TO THE MINISTER AT WASHINGTON:

We, the undersigned Indians Christian of San Louis Rey, Cal., humbly and respectfully beg, in view of all the troubles continual that constantly we have all the time between ourselves and the whites, on all sides and manners; they mistreat and abuse us, taking away our lands possessed from our grandfathers, which, since we can remember, have been ours alone. In view of all the dangers and difficulties in which we find ourselves from the white people, we request, Mr. Minister at Washington, that you separate and point out to us some land where we can keep our cattle, and be able to cultivate the land to maintain our families.

We do not ask, Mr. Minister, for the Government to give us money, nor blankets, nor seeds; only some lands for us to cultivate for the support of our families, and to raise our animals to work our lands, and that this land shall be protected against the whites, and that you hold a protection over us so that it cannot be taken from us. And, very much, we wish, Mr. Minister, to establish some schools among us for our boys and girls so they can learn like whites, so they will be good to our God, and to our fellow-man, and to Government; so that they will be good citizens.

To the present we have asked, nor received no assistance, moral, physical nor material—no pay from government. Now we only ask for land and for protection on it, so we may support our families with our labor. This favor we ask, and expect of you, Mr. Minister, we who sign this paper.

That nothing has been done, is not because Congress has been ignorant of the situation. Attention has been called again and again, many times, and most urgently to their sad plight, during the past thirty-three years, both by the Agents in charge, and by special commissions sent out to investigate and report. Elaborate reports of facts with recommendations

were made by Mr. Jno. G. Ames in 1873; by Mr. C. A. Wetmore in 1874, and by Mrs. Jackson and Mr. Kinney in 1882. A Committee from the United States Senate with Mr. Dawes as chairman have also since this last date visited them.

There is no dispute as to the fact that these Indians, Christian, civilized, self-supporting, have been crowded, and are being crowded—those of San Fernando within the past few weeks—from the lands on which they have always lived, and to which they have, in the estimation of good lawyers, a valid legal, as well as a just and equitable title; and yet, Congress, knowing the facts, has contented itself with expending money on special commissions and committees, and elaborate reports, giving comfortable jobs to white men, and then suffering the cry of these poor people to die out amid the din of white interests, and the reported facts to lie buried out of sight.

With other Indians we have made treaties by which, in most cases, we have extinguished their title to the lands taken from them, but as regards these Mission Indians a Committee of the United States Senate to whom this matter was referred reported that no such treaty was necessary:

"That the United States acquiring possession of the territory from Mexico, succeeded to its right in the soil; and as that government regarded itself as the absolute and unqualified owner of it, and held that the Indian had no usufructuary or other rights therein which were to be in any manner respected, they, the United States, were under no obligations to treat with the Indians occupying the same for the extinguishment of their title."

This Honorable Senatorial Committee seems not to have read the elaborate report of its own Commissioner, Wm. Carey Jones, who had carefully investigated the nature of the Indians' title to land under Spanish and Mexican rule, who says:

"It is a principle constantly laid down in the Spanish Colonial laws, that the Indians shall have a *right* to as much land as they need for their habitations, for tillage, and for the pasturage of their flocks. When they were already partially settled in communities, sufficient of the land which they occupied was *secured* to them for those purposes."

Again he says:

"The early laws were so tender of these rights of the Indians that they forbade the allotment of lands to the Spaniards, and especially the rearing of stock where it might interfere with the tillage of the Indians.

"The lands set apart to them were inalienable except by the advice and consent of officers of the Government, whose duty it was to protect the natives as minors or pupils. Agreeably to the theory and spirit of these laws, the Indians of California were always supposed to have a certain property or interest in the Missions. The instructions of 1773 authorized the commandant of the province to make grants to the Mission Indians of lands of the Missions either in community or individually. The law always intended the Indians of the Missions—all of them who remained there—to have homes upon the Mission grounds. The same, I think, may be said of the large ranchos—most of them were formerly Mission ranchos—and of the Indian settlements or rancherías upon them. I understand the law to be, that whenever Indian settlements are established, and they till the ground, they have a right of occupancy in the land which they need and use, and whenever a grant is made which includes such settlements the grant is subject to such occupancy."

It is evident that this Honorable Committee did not make itself acquainted with the regulations for the secularization of Missions, and the instructions given the Commissioner entrusted with the duty of making an inventory of the Mission property. Article IV., of these regulations, says:

"Before taking an inventory of articles belonging to the field, the Commissioner will inform the natives, explaining to them with mildness and patience, that the Missions are to be changed into villages, which will only be under the priests so far as relates to spiritual matters; that the *lands* and property for which each one labors are to belong to himself, and are to be maintained and controlled by himself without depending on any one else."

It seems almost cruel to quote the language of Manuel Peña y Peña, President of the Supreme Court of Justice in Mexico, taken from his "Discourses on Mexican practice at the bar," in contrast with this report of the Senate Committee quoted above. After speaking of the fact that in the earlier days the natives were regarded as minors, and were put under restrictions as to the alienation of property, &c., he says:

"But when a free government was adopted, Indians were regarded as equal with Spanish subjects, and much more were they so regarded with all Mexican citizens, inasmuch as our independence being established and ratified, IT WAS FOUNDED ON THE BASIS OF EQUALITY OF CIVIL RIGHTS AMONG ALL THE FREE INHABITANTS OF OUR COUNTRY WHAT EVER MIGHT HAVE BEEN THEIR ORIGIN IN THE FOUR QUARTERS OF THE WORLD, insomuch that the King of Spain, in presence of the council of state, declared that being equal under the Spanish Constitution, ALL BEING FREEMEN AND CITIZENS in the Spanish territory without any distinction, THE INDIANS HAD ESCAPED FROM THE STATE OF MINORITY to which they were previously subject, and should be looked upon as EQUAL IN ALL RESPECTS TO THE SPANIARDS OF BOTH HEMI-SPHERES."

Compare this utterance of this Mexican official as to its tone with that of this Senatorial Committee, and of the Register of lands as given by Mr. Ames below; and the attitude of the Spanish and Mexican Governments toward the Indian with that of our own, and shame must mantle the cheek of every honest and honorable citizen who reads the history of the injustice and heartless cruelty which they have suffered since they came under the protection (?) of our Christian Republic.

Mr. Ames says:

"In accordance with these views the present (1873) land register holds that the location of an Indian family or families on land which a white man desires to settle is, in law, no more a bar to such settlement than would be the presence of a stray sheep or cow. And so like sheep or cattle they have been driven from their homes and cultivated fields, the Government, through its officers, refusing to hear their protests as though in equity as well as in law they had no rights in the least deserving attention."

What Mr. Ames and Mr. Wetmore and Mrs. Jackson found to be true, is true to-day. The feeble remnant of old men and women surviving at San Fernando has just been thrust out. At San Ysabel the Indians are notified by the recent purchaser of the Wilcox claim to that ranch, that they cannot keep any more stock, and that they must go. At Palma the renters of

Bishop Moro's claim, kill the Indians' stock and are crowding them so they cannot live there. The suit of Mr. Byrnes for the ejectment of the Saboba Indians was decided against the Indians by default, the attorney for the Government (it having undertaken to defend the Indians' title) not appearing when the case was called.

It has since, on the motion of Mr. Wells, been restored to the calendar, but Mr. Wells has withdrawn from the case, because the Government refuses to allow even his necessary expense account. At my earnest request the Government has appointed special counsel to take up and defend the rights of these Indians, but appointed him to serve without compensation. It seems evident that this effort must be sustained and pushed by our Association.

Space will not admit of my presenting the pitiful facts as I learned them at some eight or ten different rancheros, and in a number of conferences with the people. It was the same pathetic and most shameful story at every one of these places.

These people are able and willing to take care of themselves, and all they ask is the simple right to do so. Either they have rights, or they have not. In my estimation, the first and only thing is to settle that question, and if they have, establish and guarantee those rights, and the Indian will do the rest for himself. To send out agents who have neither power nor authority to do anything; to send out committees and commissioners to investigate and report is only to delude the poor Indian with false hopes, and give comfortable positions to white men who want them.

There is little doubt, I think none at all, but these Indians have a title which can be defended in a court of justice. The position of the Senate committee that the Mexican Government acknowledged no title in the Indian to the soil is not tenable. Such titles were recognized, and by the Treaty of Guadalupe-Hidalgo no titles to property were to be invalidated by the transfer of territory to our Government.

But this is the question which should be definitely settled,

and to which I would earnestly urge that the Association should address itself: bring what influence it can rally to bear upon the administration to have this question taken up and pushed to a settlement in the Department of Justice.

THE PIUTES OF NEVADA AND OREGON.

One object of my mission was to look into certain disputed facts touching the Pyramid Lake Reserve; the condition of the Piutes along the line of the U. P. R. R.; and, at the request of some benevolent and most excellent ladies of Massachusetts, through whom I had transportation over some of the roads traveled, to learn the truth in regard to a protégé of theirs, an Indian woman—Sarah Winnemucca Hopkins—for whom they have done, and are doing much. The facts and proofs in support of my conclusions in the latter case I have duly reported to the parties entitled to them, and, as they regard them as their own, and protest against a public disclosure of them, I will not include them in this public report, but only state the conclusion to which Mr. and Mrs. Davis and myself were reluctantly forced by abundant evidence, carefully gathered and sifted, that nothing which has been done for her by her friends in the East, or elsewhere, has, so far, had any relation whatever to her own or her people's progress; that the confidence placed in her has been misplaced; that the claims made for her as the natural leader of her people have no foundation in blood (she is not the daughter of the old chief), character, or confidence and love of the people for her.

I have put into the hands of these good, but strangely-doubtful ladies, proofs of the unreliable and bad character of the man which would convince any one who is not like the word of Sarah Winnemucca as a complete and refutation of, all opposing testimony whatsoever, such an one must be staggered by it, for they have turned it against herself.

San Francisco, I called, in company with Mr. and Mrs.

Joshua W. Davis (members of the Boston Branch of the Indian Rights Association, who proposed visiting with me these Indians also, as they had the Mission Indians) on General Pope and his Adjutant, General Kelton, introduced by a letter from the acting Secretary of War. General Pope presented me with a paper prepared and read by him before the Social Science Association at its meeting in Cincinnati in 1878; a valuable contribution to the discussion of the Indian problem. General Kelton I found to be interested not alone in the Indian question, but intelligently and appreciatively acquainted with the aims, methods and work of the Indian Rights Association, which he regards as having about the same relation to the Indian problem that the Christian Commission had to the success of our armies; connected neither with the Government nor with the Indian, and able to do what the Agents of neither could accomplish, he was therefore ready to give me all the information and assistance within his power.

He had made for me copies of reports just received by his department from Col. Kautz of the Eighth Infantry, who was then investigating certain murders of Indians, committed by the whites near Fort McDermitt, on the Oregon line, and doing what he could to avert an apprehended outbreak.

He reports under date of June 29th, 1885: "I do not apprehend any outbreak on the part of the Indians from what has occurred so far, not that they have not had sufficient cause, for I find that since September last no less than eleven Indians have been killed or wounded in Southeastern Oregon, but because the Indians are not in condition to go to war, and the whites greatly outnumber them.

"I find the feeling between Indians and whites in Nevada is much more friendly than it is in Southeastern Oregon. I noticed the difference was very marked. Notwithstanding the ranches are on public domain, the occupants do not allow the Indians to come about them, and even forbid their hunting and fishing in the neighborhood. Some of the oldest settlers, who suffered in the Bannock War of '78, still cherish enmity against

the Indians, and this has much to do with the injustice to the Indians. Some of the whites sympathize with the Indians, and strongly condemned the outrages committed, but they are too few to hope that the law can be enforced against a white man for the protection of the Indians in Southeastern Oregon."

The condition of these Indians is truly pitiable, and disgraceful to our Government and to the whites of Oregon. They belong to Leggin's band which took the part of the whites as against the Bannocks, in the outbreak of '78. Their services were invaluable to our army. After the war was over the Government ordered the removal of the Piutes to Yakama, Washington Territory, and in the dead of winter, with infinite hardship and fearful loss of life, they were carried over the mountains, no distinction being made between this band which had been loyal and helpful to the Government, and those who had not. Secretary Carl Schurz made a partial promise to a delegation who asked that this band might return to Malheur, their old home; but the protests and threats of the citizens of that vicinity, and the opinion of Gen. Howard that it could not be done with safety, together with the failure of Congress to provide means for their removal, prevented the fulfillment of this promise. Their old home was disposed of. Homesickness, discontent, and false hopes industriously instilled into their minds caused them individually, or in small groups, to leave Yakama and straggle back toward their old home, which in the meantime had been restored to the public domain and opened up to settlement. They are now scattered about McDermitt, and along the line between Nevada and Oregon, having no home, and refusing utterly to go either to Pyramid Lake or Walker River Reservations, to which places the other Piutes have mostly returned, because of hostilities and jealousy of the past, and an unwillingness to put themselves under the power of the Government and its officials.

Col. Kautz says :

"In complying with the order to make recommendations, what should

be done is not in the power of the War Department to do, namely, to place Leggin's Band on some suitable Reservation in Southeastern Oregon, and provide the Indians with the means of making a home for themselves."

Gen. Kelton was desirous that I should go to McDermitt, and form an opinion as to its adaptability, with some additions to it, as such a reservation for these people; and kindly put a conveyance from Winnemucca to that military reservation at the disposal of myself and Mr. and Mrs. Davis, of which we availed ourselves, being hospitably and most kindly received and entertained by Capt. Winslow and wife, and those associated with him in that isolated post.

On our way we spent some days at Wadsworth, Pyramid Lake, and Winnemucca, making diligent inquiries after the truth, so much obscured by most conflicting reports, as to the quality and capacity of the reservation; the character of the Agent; the condition and prospects of the Indians, both on the reservation and scattered along the railroad from Truckee to Winnemucca.

As to the Agent:—We were happily disappointed, and most agreeably surprised to learn that a man chosen, as it was understood, for political services rendered to his party; taken out of a gambling saloon, which was also a liquor saloon, the ownership and management of which had been his occupation for many years, could make a good Agent. The impossibility of this was a foregone conclusion, so settled and sure that it required most indisputable facts to disapprove it; but these facts we found, and came away from Pyramid Lake, all of us, fully convinced that both Agent Gibson and his wife, with the employees of the Agency had been, and were doing a most excellent work, which they had very much at heart; doing it with much good sense, and kindly interest.

Most unequivocally and earnestly do we condemn the system which allows, and almost demands that Agents shall be appointed primarily for considerations unrelated to their qualifications for their delicate duties, but when, by a happy accident,

a man thus selected is found to be adapted to the work we should support him for what he is doing, and not oppose him for what he has been, or because of the manner of his selection. As to the reservation:—It has been much encroached upon, the town of Wadsworth undoubtedly being built upon it, and the valley down the Truckee River for some miles, the best land on it, being occupied by white intruders. There is still room for nearly as many more Indians as now occupy it. Some one hundred families (four hundred and thirty-three individuals), occupying fifty-two little farms of fifteen acres each, are distributed up and down the river from the Agency building. About eight hundred acres are under cultivation, all of which can be irrigated from the ditches now used, and about twelve hundred more can be reached from one nearly completed. They have recently built some fourteen houses, but most of them live in brush teepes and are less advanced in this respect than many other tribes I have seen. A very large per cent. of them speak English, and, so far as I remember, they were invariably dressed in citizen's clothing, hence the surprise in not finding more houses. The explanation is, want of lumber and inability to purchase it. There is a fine saw mill, but no logs to saw, excepting cotton wood. This saw mill suited to saw logs which they do not have, should be replaced with a grist mill to grind wheat which they do have now, and would grow in much larger quantities if they had a mill. At present they must haul their wheat fifteen miles to Wadsworth, send it by car to Reno at an expense of twenty-five cents per hundred each way, and then haul the flour back fifteen miles to their homes, costing them fifty cents per hundred, and two full days with their teams for each load. The saving of time and money (and *time* is beginning to have value to these people), by the exchange suggested, and the encouragement given, would enable them, soon to purchase the much-needed lumber, and house themselves in decent and comfortable homes, such as fourteen of the most advanced ones have already built.

If their reservation was rounded out to its rightful limits, its

bounds settled by a much-needed survey, and their fishing rights on the Lake protected, it would be sufficient for at least eight hundred Indians, who would soon be self-supporting.

At Walker River there is another reservation under care of the same Agent. There are some seven hundred of the best Piutes at this place, with sufficient land for all who are there. They much need irrigating ditches, farming implements, and schools. No attention has been paid them until recently. The wife of the resident farmer has some thirty-five to forty children gathered in a miserable hut, with none of the appliances of a decent school, but had succeeded in demonstrating the fact that the Indians are ready and anxious to avail themselves of a school if they could have it. The attention of the Superintendent of Schools has been called to their need.

This reservation, when supplied with irrigating ditches, could support a few more than the seven hundred Indians who are there; and the Pyramid Lake Reservation would be sufficient for some more, but there are several causes which have so far, and will doubtless continue to prevent the landless ones, scattered from Truckee to Winnemucca along the railroad, and up to, and over the line into Oregon, from coming on either of them; feuds among themselves; pride of leadership on the part of petty headmen who have a small following; unsatisfactory experience under agents in the past; restiveness under the tyranny of the reservation system; and, in not a few cases, confidence in themselves, and proved ability to do better for themselves in free competition in the labor market of the State.

The testimony of the citizens was uniform that these Indians, scattered out among the whites, were a much-needed reliance on the farms as laborers, and in the kitchen as domestic servants. There is no one to take their place if they should be removed, and none would fill it more satisfactorily in the present condition of things. A declared intention on the part of the Government to put them on a reservation would scatter them to the mountains. False reports were sent to Washington

a year ago of the suffering condition of those about Winnemucca, and the Agent was instructed to take them relief. The Indians were indignant, and refused to receive it, asserting to the Agent, as some whom I met said to me, that they neither needed nor desired anything from the Government; they were able to support themselves, and would not accept aid, fearing, I think, that to do so would place them again under agency control. There had been some suffering among Leggin's Band at Fort McDermitt, which had been in part relieved by the commanding officer at that point. This was not because supplies had not been sent, for I saw large bales and boxes of goods at the agency for these people. The Agent has no authority to send the goods to them, and they were unwilling, perhaps unable, to go two hundred miles for them, with the probable result of being forced to remain on the reservation along with bands with whom they were at strife, and under a power which they fear and hate. These people, many of whom are old and blind, need help, and it ought to be afforded in such way that it shall reach them. Winnemucca is the natural point to which the goods should be sent on the railroad, and the officer in command at McDermitt should have the distribution of them until something has been decided in regard to a permanent home for them. It is cruel folly to send their goods where there are insuperable difficulties in the way of getting them, and then say with easy indifference: "If they want them, let them comply with the regulations of the department under the law."

The able-bodied ones among these scattered Indians are able and willing to do what every such one ought to be compelled to do—take care of one's self. They will not go on to these reservations, where they would be in some sort provided for, and the attempt ought not to be made to force them into this bondage. Their condition gives rise to questions and difficulties which must be met and solved, and this ought to be done at once. These men and women are earning their own living as laborers in the towns and counties in which they live,

but no provision is made for the aged, blind, insane, and pauper classes, which, among the whites, find asylum in public institutions, and their children find no place in the public schools. What is the solution? Is it to be found in the ready and easy answer: Force them on to a reservation? Crowd them compactly about an agency, and then persuade Congress to enlarge its school appropriations and its food issues, until we can boast that there is not a single one who lacks for a dinner, a blanket, or a chance at school training? Against this both the whites and the Indians, not to say common sense, protest. They are doing just what they ought to be encouraged to do. The solution of the Indian problem is to be found along the lines these people are following, and they should be helped, not hindered; but they must not be left without teachers and missionaries because they are trying to make self-respecting men of themselves. Conditions favorable must be furnished, and they must not be forced back into those from which they have broken away. Either the State, county, and towns must be encouraged and induced to bring them under the operation of their school and charitable systems and institutions, or they must be helped by the Government where they are. It is difficult to bring anomalies under law and harmonize absurdities with common sense, and it is scarce worth while to continue the effort to do so. If the Indian is a man, and a candidate for full citizenship under our laws, let us seek to adjust our treatment of him to this fact.

In a less degree, but still to an embarrassing extent, the difficulties of these people are also found on those reservations on which the Indians are forsaking their miserable shanties about the Agency where they have simply waited for their food to be thrown out to them, and are scattering out over the reservation, taking up farms wherever they find the best lands. So far as the school and missionary work is concerned the old concentration afforded more ready access to the people. If they go out to their farms they get away from the teacher; but it should be remembered if the pupil is more difficult to get at, he is more worth the effort, a compensation

in which is our hope of success. The conclusion is driven in upon us from all directions that we cannot solve our problem until we admit its fundamental postulate, which is, that the Indian is a man, and must have exactly, and none other than, the chances, opportunities and rights of a man, and must be appealed to by the motives which move men.

The condition of things is much more unfavorable over the line in Oregon than in Nevada, as reported by Col. Kautz. The hostility of the whites, and the defenceless condition of the Indians in their courts afford some urgent ground for considering his suggestion that a reservation be set aside for them. These crimes against the Indians, committed under the jurisdiction of the State Courts, are, of course, beyond that of the United States Courts, and are not punished. I give one as a fair sample. Three men, or fiends, agree to visit an Indian camp, knowing there are only two old men and a blind man to defend the women against their lustful assaults, the men being away on a hunt for food. They made the blind man drunk, and then killed one of the old men who stood between his wife and their purpose. They afterwards stole horses and were lodged in the jail of Grant county for trial on charge of this theft. The attention of Attorney-General Garland was called to the crime of murder which they had committed on a ward of the Government, and by his instructions the United States Attorney for that district had correspondence with the sheriff of the county in regard to it. I saw a copy of his letter, and of the sheriff's reply. He said there were no men in his custody charged with murder on an *Indian* or *Military Reservation*, and he would not surrender the men to the United States authority. In mitigation of their crime of horse-stealing these men pleaded the fact that the Indians were after them. This hung the jury, who did not agree on a verdict until the judge berated them for continuing the case as an expense to the county, when without delay they acquitted the prisoners. This seems to be the sentiment that controls and dominates public action in that section.

I would therefore acquiesce in, and recommend the suggestion of Col. Kautz, and agree with Genl. Kelton that the military post of McDermitt, and reservation attached, be enlarged somewhat, and turned over for the use of these Indians. Schools, in case Nevada cannot be induced to provide for them, ought to be opened at Wadsworth, Lovelocks, Winnemucca and other points off the reservations for the children living there, and those on the reservation ought to be enlarged, so as to meet the demands made upon them. The wife of Capt. Winslow of McDermitt, who did excellent work while stationed in California, has been allowed to open a school for those about the Fort, and those excellent and untiring friends of Sarah Winnemucca, Miss Peabody and Mrs. Mann, have furnished money to build a school-house at Lovelocks, and open a school under her care with what success will be seen in the future. There was neither school-house nor school when I was there, but since that time a house has been built and a school opened with such success, according to the glowing reports given in the papers by Miss Peabody, that appeals are made for funds to enlarge its accommodations.

All friends of the Indian ought to be glad of this, and it is hoped that the efforts to establish a good school at this point will be wisely supported. Let those who are disposed to give such support first make certain the fact that what they give will be secured to the object for which they give. Sarah, though the angel which she is pictured to be in the appeals that have been made for this school, is yet a *mortal* angel, and may die the day this new building is dedicated, and as it will stand, with the one already built, on the land given by Mr. Stanford to Natchez and Sarah, it might pass out of the control of those who built it for a school.

FORT HALL RESERVATION.—BANNOCKS AND SHOSHONES.

A visit to this reservation rounded out the limits of my time on this journey. It was my second visit and gave me

opportunity for a comparison I have not been able to make before. The proofs of progress were most encouraging.

There are 1432 Indians under the care of Dr. Cook at this agency on Ross Fork, Idaho—472 Bannocks, and 960 Shoshones. Issues are made to 290 families. There are 252 children between the ages of six and sixteen, with an average attendance at school of thirty-five for nine and one-half months last year. It is unfortunate that these two peoples, so unlike, should be placed on the same reservation. The Shoshones are progressive and anxious to advance; the Bannocks are brighter intellectually, fond of fighting, gambling, thieving, horse-stealing, and averse to labor and civilized pursuits. They cultivated last year 866 acres of land, raised 5,500 bushels potatoes, 5,600 wheat; 16,000 oats; 500 barley; of this the Bannocks raised 600 bushels wheat, and 1,000 oats. This year their crops are much larger.

They cut hay and sell it to cattlemen. Last year they put up 950 tons, this year 1,200. They have bought and paid for twenty-one mowing machines within the past three years; ten of them this summer. They have within two years built seventy-two houses, fifty-five of them since last spring.

According to the report of Lieutenant Walker of the Sixth Infantry, who was sent by General McCook to investigate some difficulties, threatening in their character, during the past summer, a copy of which General McCook caused to be made for me, and whose courtesies to me personally, and whose intelligent interest in my mission I wish to acknowledge. Dr. Cook takes great interest in his Indians, and shows great tact and force in their management. This was strikingly evident to one who had gone over the reservation once, and after two years makes a second visit. Dr. Cook has evidently learned the secret of managing and inspiring them to a new life, and is one of the men who ought to be retained in the service, if the object is to advance and civilize the Indians, and not simply to furnish positions for men who want place for political or other considerations.

The undoubted good intentions of the present Administration so far as the Indians are concerned, will be crippled, if not utterly wrecked, if the spoils system finds recognition in the displacement and appointment of agents. Weak, or otherwise unsuitable, men will work infinite damage, no matter how good may be their intentions. New men, however able or honest, ought not to displace men of experience, unless this experience has proved their incompetency. The school work here, unfortunately, has been very weak ; while the opportunity for it has been very good. The Agent found it impossible for the salary paid to secure competent teachers. The School Superintendent has done what I strongly recommended and urged should be done, in detaching the school from the agency, employing a superintendent at an insufficient salary indeed, but with better hopes, and has planned to enlarge its facilities up to the needs of these people. There is urgent call for missionary work among these neglected people, as also among the Piutes of Nevada, who seem to be entirely forgotten by the churches of our land, who listen to the Macedonian cry of other lands and other nations, but recognize no obligations to those for whom we alone as Christians are responsible.

The easy possibility of solving our problem if we could only be induced to take hold of it in the right way, the almost hopelessness of it so long as we do not, is the overwhelming conviction with which this long and most interesting journey and tour of observation closed.

WASHINGTON, D. C., April 14th, 1886.

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